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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

In re Spectrum Pharmaceuticals, Inc.
Securities Litigation:

This Document Relates To: All Actions

Master File No. 2:16-cv-02279-RFB-GWF

**STIPULATION AND [PROPOSED]
ORDER REGARDING BRIEFING AND
DISCOVERY SCHEDULE FOR
PLAINTIFFS' MOTION FOR CLASS
CERTIFICATION**

(First Request)

1 WHEREAS, on January 25, 2019, Plaintiffs filed their Motion for Class Certification
2 Pursuant to Federal Rule of Civil Procedure 23 (ECF No. 103) (“Motion for Class Certification”);
3 and

4 WHEREAS, Defendants’ current response date is on February 8, 2019; and

5 WHEREAS, to determine whether they oppose class certification, Defendants must receive
6 documents from and depose both Lead Plaintiffs; and

7
8 WHEREAS, Plaintiffs appended to and based their Motion for Class Certification, in part,
9 on the expert Declaration of Dr. Adam Werner, opining on the market efficiency for Spectrum
10 stock and whether the finder of fact will be able to measure damages by means of a common
11 methodology, calculating them on a class-wide basis for all Class members. This may require
12 Defendants to depose Dr. Werner and to determine whether to include an opposition expert report
13 in support of their opposition to Plaintiffs’ Motion for Class Certification; and

14
15 WHEREAS, counsel for Plaintiffs and Defendants have conferred regarding an extended
16 briefing schedule for Plaintiffs’ Motion for Class Certification; and

17 WHEREAS, this is the first stipulation requesting to extend the time to file an opposition
18 to the Motion for Class Certification (ECF No. 103);

19 IT IS HEREBY STIPULATED AND AGREED among the undersigned parties, subject to
20 the Court’s approval, as follows:

- 21
- 22 1. Defendants shall have until March 29, 2019 to conduct all discovery necessary to
23 determine whether (a) they intend to oppose class certification or (b) to stipulate to
24 class certification;
 - 25 2. Defendants shall either file a brief in opposition to Plaintiffs’ Motion for Class
26 Certification or stipulate to class certification no later than March 29, 2019;
- 27
28

- 1 3. If Defendants oppose Plaintiffs' Motion for Class Certification, then Plaintiffs shall
2 file a reply brief in further support of their Motion on or before April 12, 2019;
3 4. If Defendants oppose Plaintiffs' Motion for Class Certification and submit an
4 expert report(s) in support of their opposition, then the parties shall agree on a
5 deposition date(s) for Defendants' expert(s) during April, 2019. Plaintiffs shall file
6 their reply brief in further support of their Motion for Class Certification no later
7 than fourteen (14) days after they depose the last of Defendants' experts. In this
8 circumstance, pursuant to LR IA 7-1(b), the Parties will file on the ECF a Notice,
9 informing the Court of the reply brief deadline.
10

11 IT IS SO STIPULATED.

12 Dated: February 5, 2019

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SO ORDERED this 11th day of February, 2019

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RICHARD F. BOULWARE, II
United States District Judge